

Annual Complaints Report

Children's Social Care

2022/23

London Borough of Barking and Dagenham

Introduction

This report fulfils the council's statutory duty to monitor the effectiveness of the complaints procedure and produce an annual report for children's services social care complaints.

The Local Authority Social Services Act 1970 (as amended by the NHS & Community Care Act 1990) requires us to establish a procedure for considering complaints in relation to the discharge of, or failure to discharge, any social services functions in respect of a qualifying individual. The Children Act 1989 Representation Procedure (England) Regulations 2006 provides the legal framework for the procedures in relation to social care functions.

The regulations require the local authority to attempt to resolve complaints as soon as reasonably practicable and within specific timescales. The procedure has three stages, which are set out below, however where appropriate and with the agreement of the complainant the local authority may arrange for alternative dispute resolution to help resolve matters.

- Stage 1 (local resolution by manager) – 10 working days or up to 20 working days for complex cases
- Stage 2 (investigation by someone outside of the service area complained about) – 25 working days with maximum extension to 65 working days
- Stage 3 (independent review) – 30 working days to convene and hold a review panel; then 5 working days for the panel to issue its findings; and a further 15 working days for the local authority to respond to those findings.

All complaints are triaged by the Customer Feedback Team to ensure they are suitable for the process. This ensures matters are managed through the correct procedures, should an alternative process be in place. Any matters which are not suitable for the complaints process are filtered out and passed to the appropriate channel.

If the complainant remains unhappy with the outcome of their complaint, they have the right to approach the Local Government and Social Care Ombudsman who may choose to investigate their complaint.

The Children's Social Care Complaints Procedure is administered by the Customer Feedback Team, with oversight from the Customer Feedback Manager.

Children’s social care complaints received

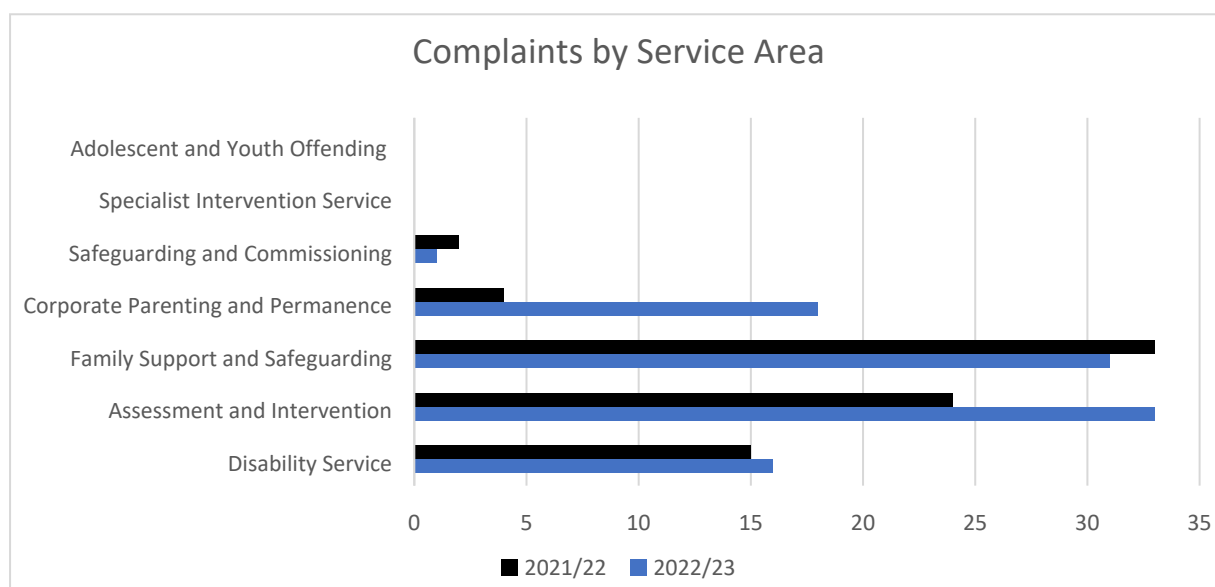
Stage 1 Complaints

The Local Authority welcomes all feedback, including complaints and representations about its services. Service users, families and carers can provide their views in an open and transparent way and can easily access the complaints process.

Children’s Social Care received 99 statutory complaints during 2022/23 this is an increase of 26% on the previous year when we dealt with 78 statutory complaints.

Possible factors contributing to the observed increase may include heightened awareness among our service users regarding the availability of the complaints process, which encourages them to voice their concerns without adversely affecting ongoing work within the service. Additionally, the Local Authority's commitment to learning from complaints has led to increased transparency, with procedures being more widely disseminated among our families.

Number of Childrens Social Care complaints		
Department	2022/23	2021/22
Disability Service	16	15
Assessment and Intervention	33	24
Family Support and Safeguarding	31	33
Corporate Parenting and Permanence	18	4
Safeguarding and Commissioning	1	2
Specialist Intervention Service	0	0
Adolescent and Youth Offending	0	0
Total	99	78



Timeliness of dealing with statutory stage 1 social care complaints

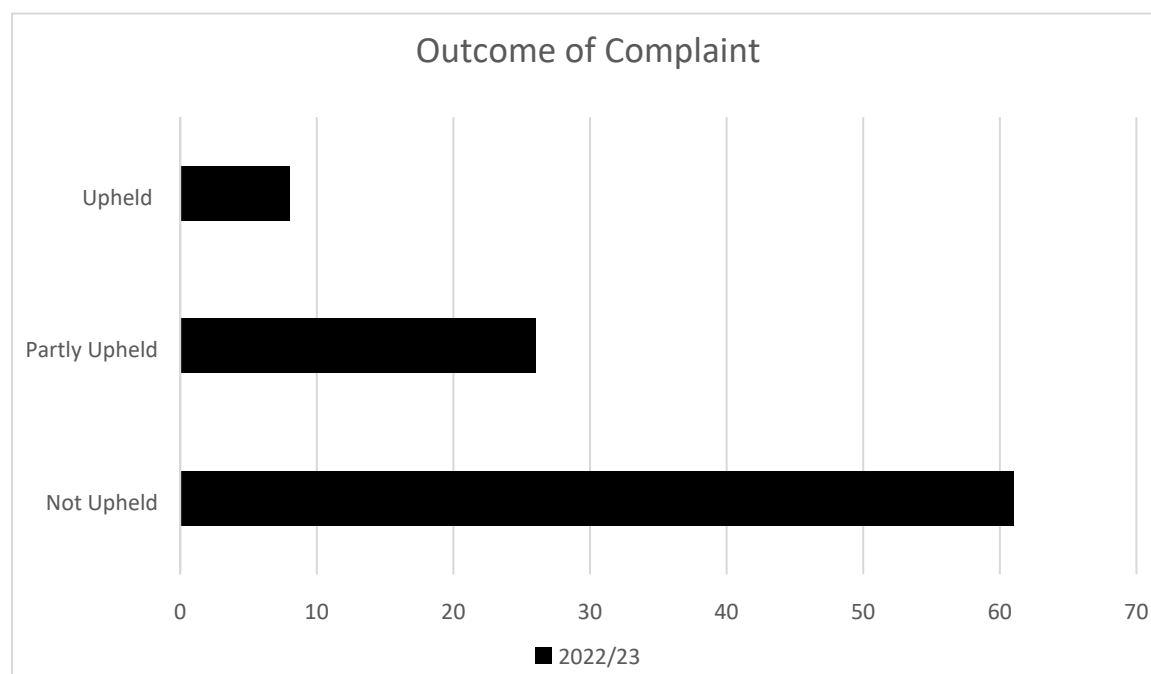
In 2022/23 we have seen a drop in our performance to 71% (71 of 99) of complaints answered within timescale, this is a large decrease from our previous year where we reached 2021/22 82% (64 of 78).

We have fallen further away from the corporate target of 90% and this is being addressed directly with the service, supported by the Operational Director and Heads of Service who recognise the importance of a timely, well investigated complaint helping our families understand that we listen and support their right to use the complaints process.

The Customer Feedback Team also continue to support Children’s Social Care with relevant information produced on a weekly basis which provides insight into open complaints for each service area as a way to maintain visibility and accountability.

Outcome of Complaints

Not Upheld	61	62%
Partly Upheld	26	26%
Upheld	8	8%



Upon thorough investigation of the complaints, we have determined that there are no grounds to find fault with our handling of the specific concerns raised within our service. In cases where we have been able to find fault with our handling we

continue to strive to adopt a continuous improvement/learning approach to improve our service offering.

Stage 2 and 3 Social Care Complaints

Barking and Dagenham continue processing low level numbers of Stage 2 and 3 complaints year on year. In 2022/23 we undertook only one Stage 2 complaint and one Stage 3 across all Children's Social Care. These cases related to Corporate Parenting and Permanence and Disability Service.

Outcome and Recommendations from Stage 2

Within the report it was found that most of the complaint was not upheld especially relating to the way the service provision was managed with the young person. Although recommendations were forthcoming relating to the way in which the complaint took an extended amount of time to work through the process. To combat this, we have agreed that more work will continue between the complaints service and social care to support understanding of what constitutes a complaint and when a referral should be made to either the complaints team or to the Children's Rights Advocate.

Outcome and Recommendations from Stage 3

After completing Stage 2 in the previous year, the complainant expressed dissatisfaction with the level of resolution achieved, deeming it insufficient in addressing their concerns. Consequently, they requested progression to the next stage of the process. This progression adhered to the established Policy and Procedure, resulting in a subsequent panel revising the initial decision by overturning the outcome of one complaint that was previously dismissed. Recommendations from this panel hearing related to the manner in which information was stored on file and how the language used could impact families. It asked for training to be given to staff in the area around using language which was more sensitive to the mother who requested to read the file. A recommendation was also put into place to strengthen our process for when families felt that they disagreed with information on the file and would ask for the Local Authority to either remove the comments entirely or to change the contents to accurately reflect the situation.

Local Government Ombudsman

The Local Government and Social Care Ombudsman remains the final step in the process where complainants can approach the service directly and ask for a further independent investigation into their complaint.

In 2022/23 the LGO approached the Local Authority on 4 cases relating to Children's Social Care and of these 3 were taken via the formal investigation route, both were upheld by the LGO. The 1 other case was determined to be closed after initial enquires were made and information provided.

Recommendations from the LGO

The below recommendations are directly quoted from published LGO reports at the following link [LGO Children's Social Care Decisions](#)

I find fault with the Council for not carrying out an assessment under Section 20 of the Children Act 1989 and for failing to provide Miss B with any support, causing her distress and frustration. The Council have proposed remedies which I am in agreement with.

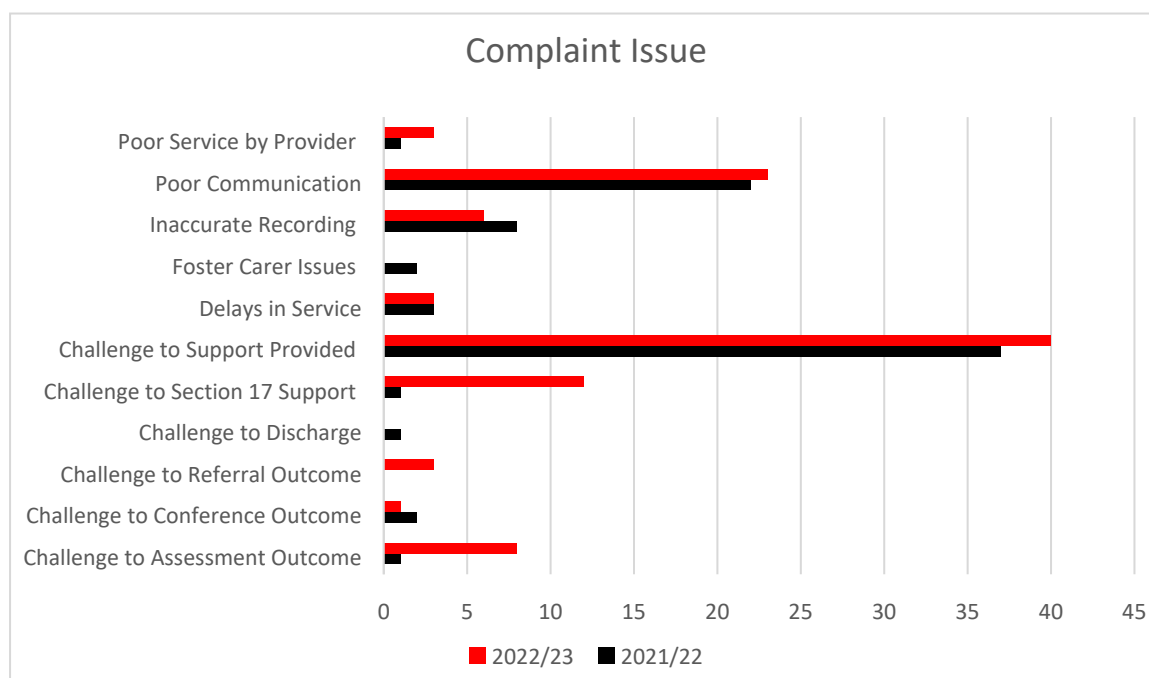
I have completed my investigation. The Council accepted the findings and recommendations of a thorough independent investigation. This is a satisfactory outcome.

Complaints by issue

Complaints received provide valuable insight into how services are perceived by the clients and how a culture of continuous improvement can be embedded across the service.

When broken down by reason for complaint the most frequently mentioned concern relates to challenging the support provided closely followed by poor communication

Reason for complaint		
Reason	2022/23	2021/22
Challenge to Assessment Outcome	8	1
Challenge to Conference Outcome	1	2
Challenge to Referral Outcome	3	0
Challenge to Discharge	0	1
Challenge to Section 17 support	12	1
Challenge to Support Provided	40	37
Delays in Service	3	3
Foster Carer Issues	0	2
Inaccurate Recording	6	8
Poor Communication	23	22
Poor Service by Provider	3	1
Total	99	78



It is important to recognise that social work is a complex and ever-evolving field, and there is always room for improvement. Complaints provide valuable insights into areas where social workers and agencies can improve practises. Therefore, it is crucial for services to persistently strive for learning and implementing improvements based on the valuable feedback received.

As a Local Authority we are committed to learning from our services users when they express dissatisfaction, and this is carried out by various methods such as;

- Using feedback from complaints to strengthen the voice of the children, young people and their families.
- Making sure our recording is clear including rationale behind decisions made so that they can be understood by children and families.
- Being transparent in our actions and communications

Below are examples of learning that we can take from our complaints and implement into our processes to show a desire and willingness to improve.

- Communication is a common issue in social care complaints between workers and families. To address this, it is essential to emphasise the importance of clear and open communication, active listening, and involving families and young people in decision making processes.
- Clear concise and transparent records which contain factual evidence-based information, so that if families should access records, they can understand the content. Within Social Work practice there is a need for us to base information contained in reports around not only evidence but opinions as well. When it is

necessary for the Local Authority to include opinion, these should be worded in a sensitive manner.

- Complainants will often express dissatisfaction about the support provided. This challenge is not always suggesting we are not providing enough support but also instances where families may question the necessity of social care intervention. In both scenarios, it is essential for us to enhance our communication skills and effectively convey the reasons behind our involvement or inability to provide the exact service they anticipate... Involvement with social care can come with stigma attached to it which families do not want to deal with. By working with our families and giving clear reasoning for involvement we can aim to break down the barriers with our residents showing we are here as a support and not to judge their capabilities.
- Consideration is being given to procure work with a consultancy who can support with Stage 2 and 3 of the complaints process which will help mitigate the risk of failure to comply with the prescribed timescales.

Compliments

It is important to balance the complaints with evidence directly from services users that their experiences with the Local Authority have been positive.

An extract of compliments received 2022/23

From a Residential Setting

“The way you also communicate with SS is exemplary. You understand the way she is able to respond to adults and are mindful of the way she perceives information. You are honest, open and transparent with SS but do this in a kind, caring and compassionate way”.

From a Parent

“As a family - the S’s -, we all wish to tell you about the man who supported us through our darkest days, again and again.

J would appear with his bike or his running gear and say a "Bonjour" and come in, our dog loved him, especially anything edible like his phone. I never felt intimidated having a social worker in the house. Sometimes, J came in and sat on the floor, relaxed, calm - chatting away to T and I. If my daughter was there she was always included - if she wanted to be a part of the meeting. -I may have been at work but she felt safe to contact him for help and advice

Nothing was ever too much, problem for him.

I know I have left him a message in the evening ...8pm, and next morning J was on my doorstep. He was always calm, listened to each person's version and then worked through the strategy needed or plan”.

From a Family

“Throughout the time working with F it has been a positive experience and it is a shame that it came to an end when we was finally getting settled but understandably it had to due to no longer being within the borough, but happy that it was an end that ended positively and allowed my family to continue to grow and restore faith in that there are some good social workers that work in ways to build on the strength and abilities that the family/mother has rather than diminish them and make the family feel less.

It was also pleasing to see that F had a supportive manger and we as a family are also thankful for the help that everyone else contributed to and supported F with within our case.

F I hope you continue to shine as the social worker that you are, you will always be remembered by us thank you for shinning some light into difficult circumstances”.

From MP Minister for Children, Families and Wellbeing

“Thank you to all of you for finding the time in your busy lives to share your experiences of fostering and the support many of you have received through the Mockingbird programme.

It was an inspiring meeting and left me even more convinced about the importance of the care you all provide for our most vulnerable children.

such a group of dedicated foster carers, who have all made an amazing difference to the lives of children.

Mockingbird programme: the networks that have been created; the support that it offers to other foster carers, and the real sense of community and shared values this creates”.